

## SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

**SUBJECT:** Line Drive Professional Office Future Land Use Amendment and Rezone

**DEPARTMENT:** Planning and Development      **DIVISION:** Planning

**AUTHORIZED BY:** Dori DeBord

**CONTACT:** Ian Sikonia

**EXT:** 7398

**MOTION/RECOMMENDATION:**

1. Approve the request for a Small Scale Land Use Amendment from PD (Planned Development) to PD (Planned Development) and a rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) on 0.62± acres, located 300 feet south of the intersection of Sand Lake Road and Line Drive, and approve the attached Preliminary Master Plan and Development Order, based on staff's findings, and authorize the Chairman to execute the aforementioned documents; (Jack Reynolds, applicant); or
2. Deny the request for a Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) on .62± acres, located 300 feet south of the intersection of Sand Lake Road and Line Drive, and authorize the Chairman to execute the Denial Development Order; (Jack Reynolds, applicant); or
3. Continue the item to a time and date certain.

District 3 Dick Van Der Weide

Ian Sikonia

**BACKGROUND:**

The applicant, Jack Reynolds is requesting a rezone and Small Scale Land Use Amendment in order to develop a 4,600 square foot professional office building. The parcel was previously located within Tract 5 of the Stockbridge PUD which permitted 280 townhomes and single-family dwellings on 33.3 acres with a density of 8.4 units per acre. Tract 5's final approved development pattern is a total of 250 townhome and single-family dwellings, leaving the 0.62 acre vacant. This property was removed from the Stockbridge PUD and was rezoned to allow a 7 unit townhouse community on October 24, 2006. The requested rezone will allow all permitted uses within the OP (Office) zoning district. The Comprehensive Plan-Future Land Use Element Plan Amendment Standards of Review require a Land Use Amendment to existing Planned Development sites whenever a proposed amendment includes uses that were not previously approved. In this case, the original Planned Development permitted only residential uses.

**PLANNING AND ZONING COMMISSION/LPA RECOMMENDATION:**

The Planning and Zoning Commission met on March 5, 2008 and voted 7 to 0 to recommend approval of the request for a Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) on .62± acres, located 300 feet south of the intersection of

Sand Lake Road and Line Drive, and recommend approval of the attached Preliminary Master Plan, per staff findings.

**STAFF RECOMMENDATION:**

Staff recommends the Board approve the request for a Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) on .62± acres, located 300 feet south of the intersection of Sand Lake Road and Line Drive, and recommend approval of the attached Preliminary Master Plan, subject to the conditions in the attached Development Order.

**ATTACHMENTS:**

1. Staff Report
2. Location Map
3. Future Land Use and Zoning Map
4. Aerial Map
5. Preliminary Master Plan
6. Development Order
7. Land Use Ordinance
8. Rezone Ordinance
9. Denial Development Order
10. 3-5-08 Planning Commission

**Additionally Reviewed By:**

☒ County Attorney Review ( David Shields )

<b>Line Drive Professional Office Small Scale Land Use Amendment from PD to PD Rezone from PUD to PUD</b>		
<b>APPLICANT</b>	Jack Reynolds	
<b>PROPERTY OWNER</b>	Huned Botee	
<b>REQUEST</b>	Small Scale Land Use Amendment from PD (Planned Development) to PD (Planned Development) and a rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development).	
<b>PROPERTY SIZE</b>	.62 ± acres	
<b>HEARING DATE (S)</b>	P&Z: March 5, 2008	BCC: April 22, 2008
<b>PARCEL ID</b>	07-21-29-300-019C-0000	
<b>LOCATION</b>	Located 300 feet south of the intersection of Sand Lake Road and Line Drive.	
<b>FUTURE LAND USE</b>	PD (Planned Development)	
<b>ZONING</b>	PUD (Planned Unit Development)	
<b>FILE NUMBER</b>	Z2007-45 / 02-08SS02	
<b>COMMISSION DISTRICT</b>	#3 – Van Der Weide	

#### **PROPOSED DEVELOPMENT:**

The applicant is proposing a 4,600 square foot professional office building.

#### **ANALYSIS OVERVIEW:**

##### **ZONING REQUEST**

The applicant, Jack Reynolds is requesting a rezone and small scale land use amendment in order to develop a 4,600 square foot office complex. The Future Land Use designation of the subject property is PUD (Planned Unit Development), which includes uses associated with a townhome subdivision. The following table depicts the minimum regulations for the current zoning district of PUD (Planned Unit Development) and the requested district of PUD (Planned Unit Development):

<b>DISTRICT REGULATIONS</b>	<b>Existing Zoning (PUD)</b>	<b>Proposed Zoning (PUD)</b>
Minimum Lot Size	1,376 sq. ft.	N/A
Minimum House Size	2,200 sq. ft.	N/A
Minimum Width at Building Line	N/A	N/A
Front Yard Setback	20 feet	25 feet
Side Yard Setback	7.5 feet	10 feet
(Street) Side Yard Setback	15 feet	N/A
Rear Yard Setback	15 feet	30 feet
Maximum Building Height	35 feet	35 feet

## PERMITTED & SPECIAL EXCEPTION USES

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

<b>Zoning District</b>	<b>Permitted Uses</b>	<b>Special Exception</b>	<b>Minimum Lot Size</b>
PUD (existing)	Townhomes and their customary accessory uses, home occupations and home offices	N/A	1,376 sq. ft.
PUD (proposed)	Allowable uses shall be those permitted in the OP Zoning District.	N/A	N/A

## COMPATIBILITY WITH SURROUNDING PROPERTIES

The area from Sand Lake Road to SR 436 on Line Drive consists of single family, multi-family, and some non-residential uses. To the north of the property is the Congregation of Beth Am Temple, to the south is a small office building, to the east are single-family homes, and to the west is Orange County which consists of single-family homes. The requested professional office building will create an employment center and serve the residents of the surrounding neighborhoods. The proposed use of this site allows for a mixture of compatible low density residential and non residential uses in the area. Staff finds that the requested rezone and land use amendment are compatible with the surrounding uses and existing development patterns of the area.

## SITE ANALYSIS:

### ENVIRONMENTAL IMPACTS

#### *Floodplain Impacts:*

Based on FIRM map panel 12117C0115E, with an effective date of 1995, there appears to be no floodplains on the subject property.

#### *Drainage:*

The proposed project is located within a landlocked drainage basin, and has no downstream capacity. The site will have to be designed to hold the entire 100-year, 24-hour storm event onsite.

#### *Wetland Impacts:*

Based on preliminary aerial photo and County wetland map analysis, there appears to be no wetlands on the subject property.



### *Endangered and Threatened Wildlife:*

Based on a preliminary analysis, there may be endangered and threatened wildlife on the subject property. A listed species survey will be required prior to final engineering approval.

### **PUBLIC FACILITY IMPACTS**

Rule 9J-5.0055(3)(c); Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has submitted an application for Full Concurrency Review. Concurrency Management has determined that water and sewer facility capacity is available for the proposed property subject to execution of a Utility Agreement and payment of fees. Concurrency Management further determined that sufficient roadway capacity is available based upon Concurrency Management System Net Available Capacity.

### *Utilities:*

The site is located in the Southeast Seminole County water and sewer utility service area. There is an 8-inch water main on the east side of Line Drive and an 8-inch force main approximately 1200 ft. east on the south side of Sand Lake Road. The applicant is not proposing a connection to sewer due to the distance to the line, instead they are proposing a septic system. The subject property is not in the ten-year master plan for reclaimed water. An alternative source for irrigation water will not be required.

### *Transportation / Traffic:*

The property is adjacent to Line Drive which is classified as a local road. Line Drive is not currently programmed to be improved according to the County 5-year Capital Improvement Program.

### *Public Safety:*

The County Level-Of-Service standard for fire protection and rescue, per Policy PUB 2.1 of the Comprehensive Plan, is 5 minutes average response time. The nearest response unit to the subject property is Station 13, which is located at 1240 SR 436 and meets the Level-Of-Service standard.

### *Buffers and Sidewalks:*

There is an existing 5-foot sidewalk along Line Drive which will be connected to the office building and the open space area.

The following proposed buffers are contained in the attached Development Order:

West: 10'  
North: 5'  
South: 10'

The applicant is requesting a waiver from the Active/Passive Buffer Setback Design Standards along the south property line. The adjacent property has the Medium Density Residential Future Land Use designation, which requires application of the Active/Passive standards per Section 30.1232 of the Land Development Code. The requirements for an Active property line are a 25-foot landscape buffer and a 50-foot building setback. Although the adjacent property has a residential Future Land Use designation, it is zoned Residential Professional (RP) and is developed with an office building. The applicant is requesting a 10-foot side setback and a 5-foot landscape buffer in lieu of the Active buffer along that property line. Staff finds the requested buffer and setback sufficient due to the RP zoning and the office building adjacent to the subject property.

### **APPLICABLE POLICIES:**

#### **Fiscal Impact Analysis**

This project does not warrant the running of the County Fiscal Impact Analysis Model.

#### **Special Districts**

The subject property is located within the Aquifer Recharge Overlay District and the Wekiva Study Area.

#### **Comprehensive Plan (Vision 2020)**

The County's Comprehensive Plan is designed to preserve and enhance the public health, safety and welfare through the management of growth, provision of adequate public services and the protection of natural resources.

The proposed project is consistent with the following list of policies (there may be other provisions of the Comprehensive Plan that apply that are not included in this list):

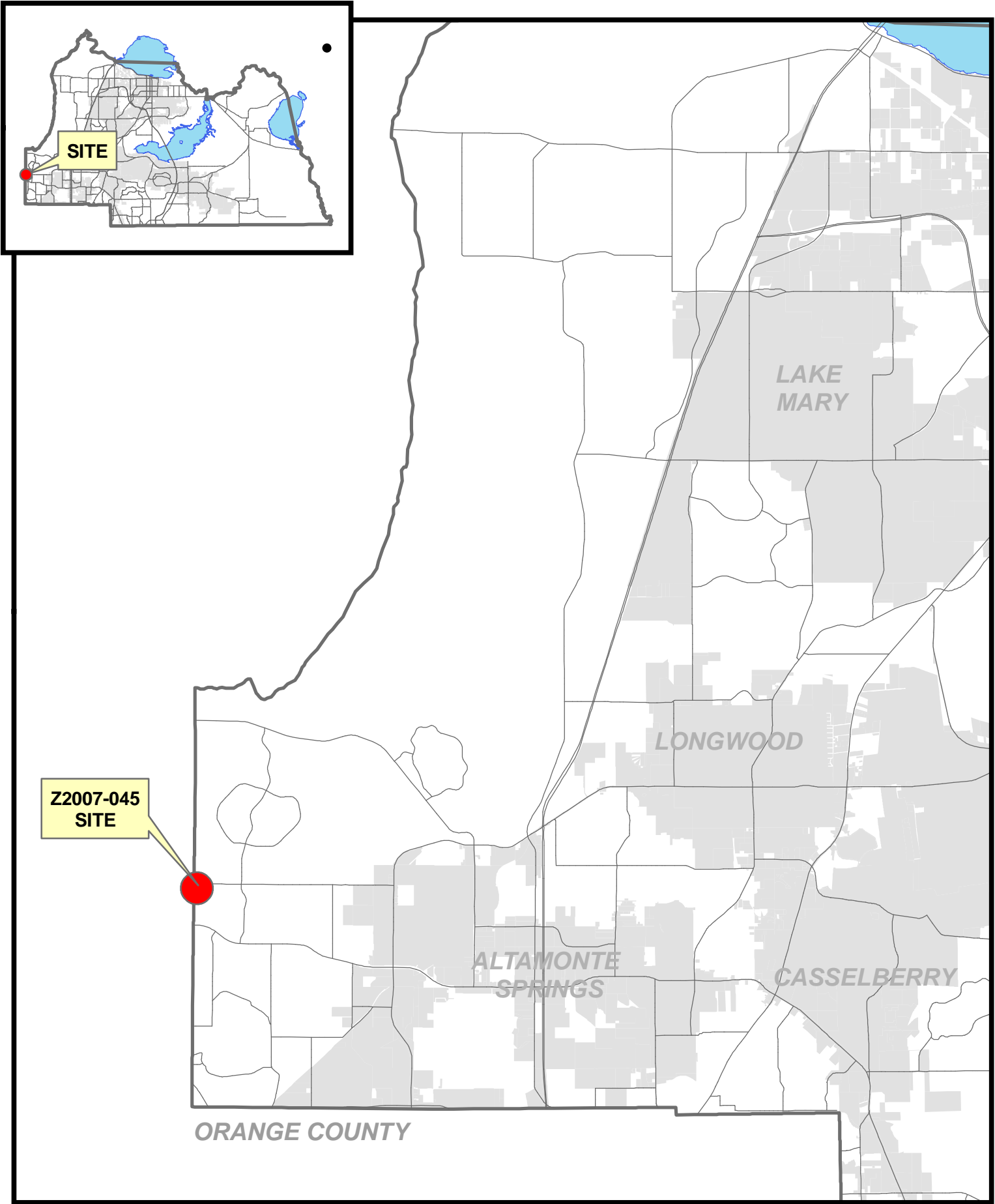
Policy FLU	2.11: Determination of Compatibility in PUD and PCD Zoning Classifications
Policy POT	4.5: Potable Water Connection
Policy PUB	2.1: Public Safety Level-of-Service

### **INTERGOVERNMENTAL NOTIFICATION:**

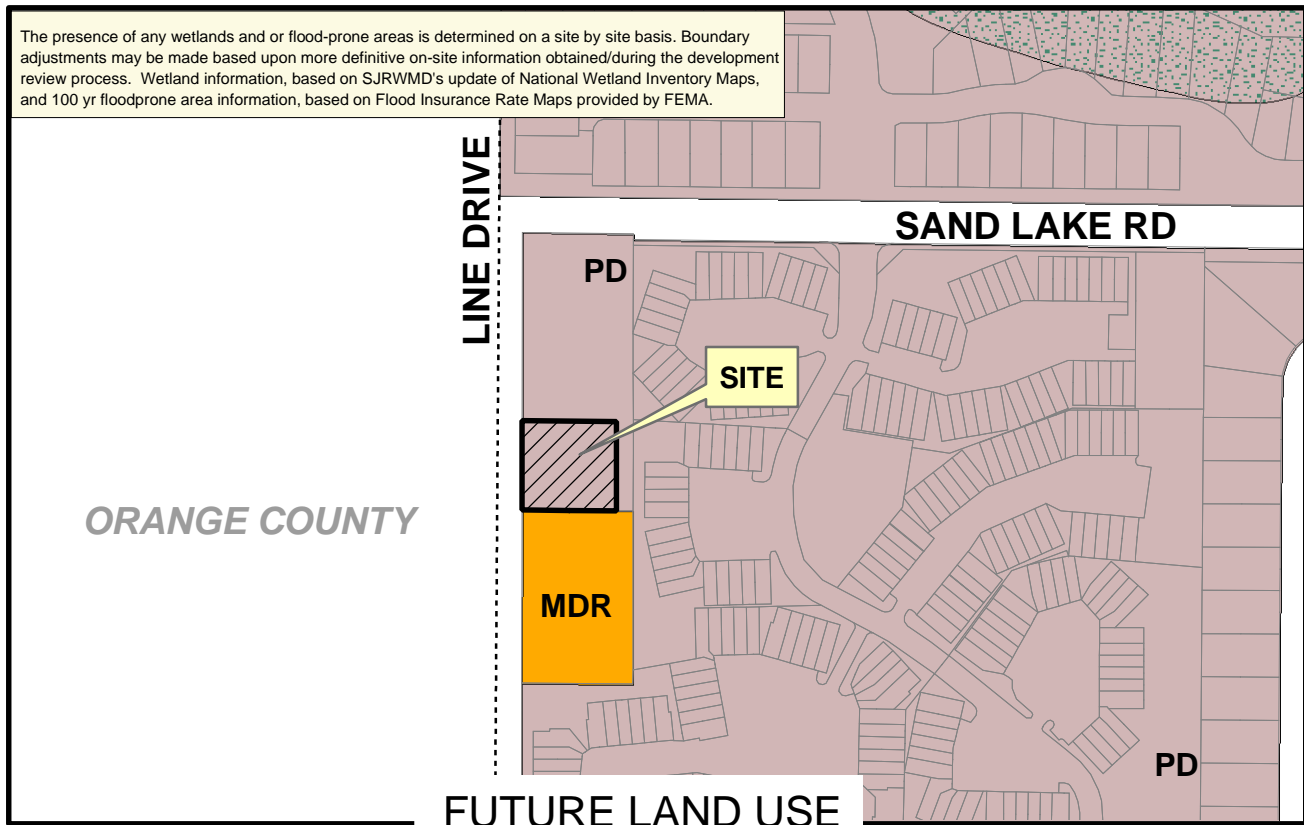
An intergovernmental notice was sent to Orange County on February 14, 2008.

### **LETTERS OF SUPPORT OR OPPOSITION:**

Staff has not received letters of support or opposition.



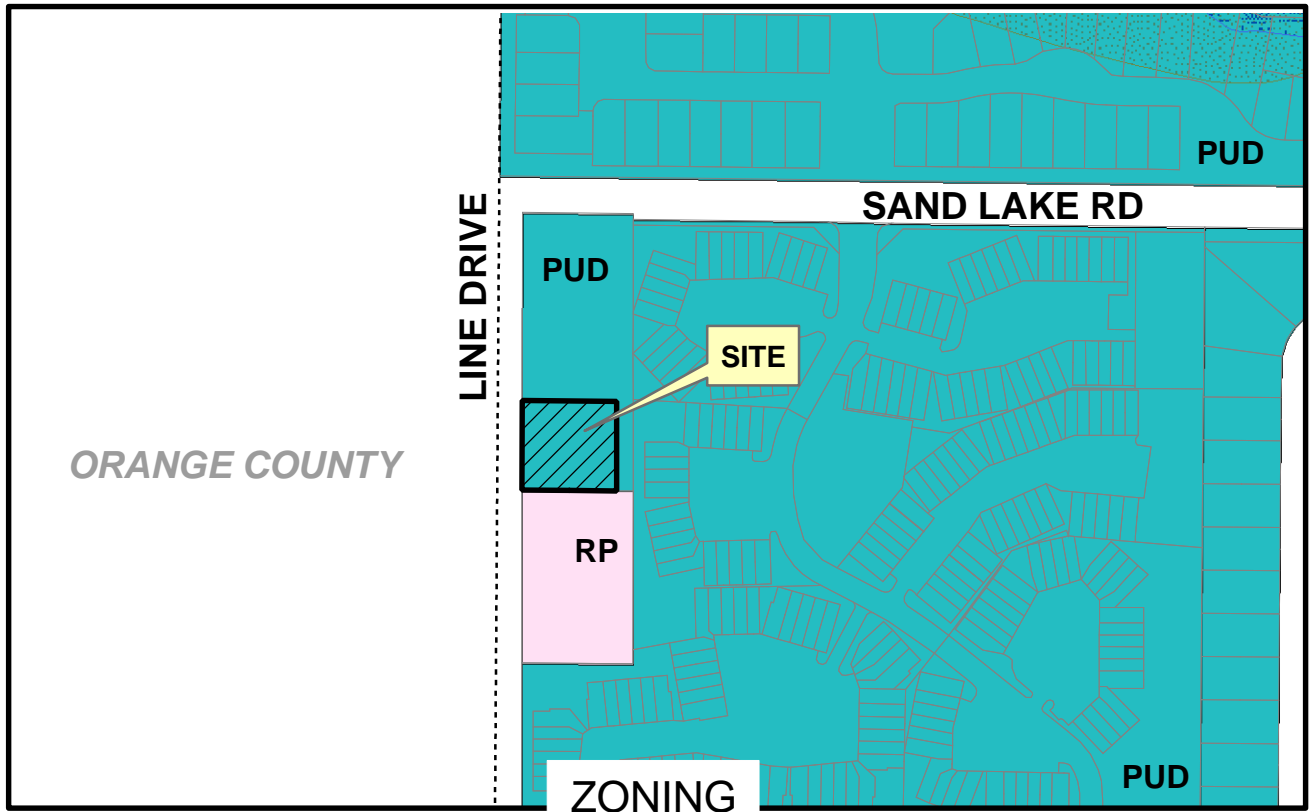
The presence of any wetlands and or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process. Wetland information, based on SJRWMD's update of National Wetland Inventory Maps, and 100 yr floodprone area information, based on Flood Insurance Rate Maps provided by FEMA.



Site
  Municipality
  MDR
  PD
  CONS

Applicant: Jack Reynolds  
 Physical STR: 07-21-29-300-019C-0000  
 Gross Acres: .62 +/- BCC District: 3  
 Existing Use: Vacant  
 Special Notes: None


	Amend/ Rezone#	From	To
FLU	02-08SS02	PD	PD
Zoning	Z2007-045	PUD	PUD



A-1
  RP
  PUD
  FP-1
  W-1



Rezone No: Z2007-045  
From: PUD To: PUD

 Parcel

 Subject Property



Winter 2006 Color Aerials



# PUD PRELIMINARY MASTER PLAN

# UTILITY COMPANIES

**SANITARY SEWER:** SEPTIC SYSTEM

WATER DISTRIBUTION: SEMINOLE COUNTY PUBLIC UTILITIES

**ELECTRICAL POWER:**      **PROGRESS ENERGY:**

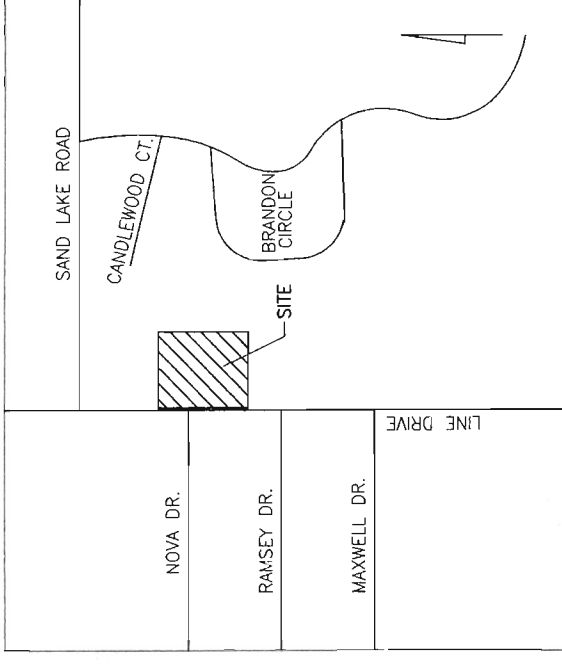
TELEPHONE: EMBARO TELEPHONE CO.

## PROPOSED USE:

## PROFESSIONAL OFFICES

# ATTENTION

CONTRACTOR SHALL PAY FOR AND OBTAIN A SEMINOLE COUNTY SITE CONSTRUCTION PERMIT AND HOLD A PRE-CONSTRUCTION CONFERENCE BEFORE STARTING WORK. CONTACT ENGINEERING INSPECTIONS, 407-665-7409 FOR INFORMATION ON SETTING YOUR PRE-CONSTRUCTION MEETING, ISSUANCE OF COUNTY PERMITS AND OTHER REQUIREMENTS.



## LOCATION MAP

## DESCRIPTION

SECTION 7, TOWNSHIP 21 SOUTH, RANGE 29 EAST

## LEGAL DESCRIPTION

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA, SAID POINT BEING A 4 INCH SQUARE CONCRETE MONUMENT SITUATED NORTH 00 DEGREES 04'38" EAST, 20.38 FEET FROM A 6 INCH SQUARE CONCRETE MONUMENT LOCATED AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; FROM SAID POINT OF REFERENCE RUN SOUTH 00 DEGREES 04'30 WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 1350.14 FEET; THENCE RUN SOUTH 89 DEGREES 20'33" EAST 33.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAND LAKE ROAD AND THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE SOUTH 00 DEGREES 04'38" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, A DISTANCE OF 327.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 29'42" EAST A DISTANCE OF 175.00 FEET; THENCE SOUTH 00 DEGREES 04'38" WEST A DISTANCE OF 155.00 FEET; THENCE NORTH 89 DEGREES 29'42" WEST A DISTANCE OF 175.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE NORTH 00 DEGREES 04'38" EAST A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING.

# PROJECT DIRECTORY

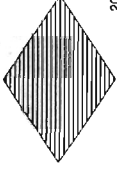
DEVELOPER/APPLICANT: HUNED M. BOTE  
299 LORAIN DRIVE  
ALTA MONTE SPRINGS, FLORIDA 32714  
TELEPHONE 407-687-5245

ENGINEER: TOM H. SKELTON, P.E.  
AMERICAN CIVIL ENGINEERING CO.  
207 N. MOSS ROAD, SUITE 211  
WINTER SPRINGS, FLORIDA 32708  
TELEPHONE (407) 327-7700  
FAX (407) 327-0227

SURVEYOR: MICHAEL SOLITRO, PSM  
ALTAMONTE SURVEYING AND PLATTING, INC.  
435 DOUGLAS AVE., SUITE 1505  
ALTAMONTE SPRINGS, FLORIDA 32714  
TELEPHONE (407) 862-7555  
FAX (407) 862-6229

**SOIL ENGINEER:** M.R. ELIAS, Ph.D., P.E.  
ELIAS ENGINEERING & TESTING, INC.  
2809 LAKEVIEW DR.  
FERN PARK, FLORIDA 32730  
TELEPHONE (407) 830-6004

PERMIT STATUS	DATE ISSUED	
INDEX OF SHEETS		
SHEET	DESCRIPTION	
1	COVER SHEET	
2	SURVEY	
3	SITE PLAN	
4	LANDSCAPE PLAN	
PLANS ISSUED FOR:		DATE



AMERICAN CIVIL  
ENGINEERING CO.

207 N. MOSS ROAD, SUITE 211 WINTER SPRINGS, FLORIDA 32708  
TELEPHONE (407) 327-7700 FAX (407) 327-0227

NOT YET WITHOUT THE SIGNATURE AND THE ORIGINAL  
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND  
MAKING ADDITIONS AND DELETIONS TO SURVEY MAPS,  
OR FROM ANY OTHER THAN THE SIGNATURE AND  
SEAL OF A FLORIDA LICENSED SURVEYOR OR PARTIES.  
MICHAEL W. SOUTHWORTH, PSM #4458  
FOR THE FIRM OF ALTIMONTE SURVEYING AND PLATTING,  
INC. #18 0300

SCALE: 1"=30'  
REVIEWED BY: MWS  
DRAWN BY: LJC  
DATE: 5/11/00  
JOB NO.: 12273  
REVISIONS: ADD SPOT ELEVATIONS 10/26/05

RECOVERED 4"x4" CONCRETE MONUMENT #LS1969  
 RECOVERED MAIL & DISK #LB1221  
 RECOVERED 4"x4" CONCRETE MONUMENT NO#  
 RECOVERED 1 1/2" IRON ROD  
 RECOVERED 1 1/2" IRON ROD #LB1221  
 RECOVERED 5/8" IRON ROD NO#  
 SET 1 1/2" IRON ROD #LB 6300  
 POWER POLE AS SHOWN  
 6" WOOD FENCE  
 9' CHAIN LINK FENCE  
 CONCRETE SLAB AS SHOWN

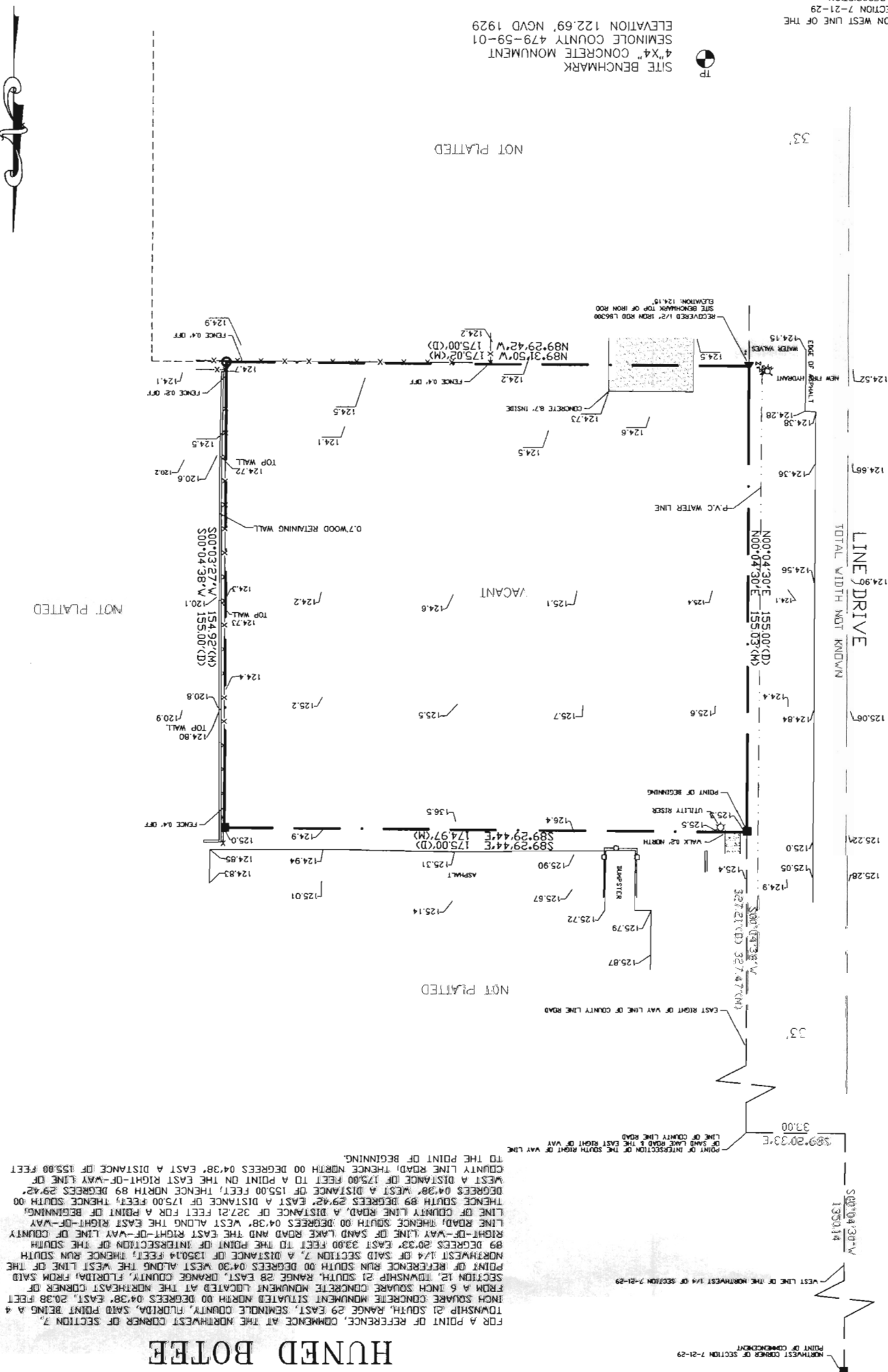
△ = CENTRAL ANGLE, L = ARC, R = RADIIUS.  
R/W = RATIO OF WAYS, A/C = AIR CONDITIONER,  
(M) = MEASURED, (C) CALCULATED, (D) = DEED,  
(R) = RADIAL, (NR) = NON-RADIAL, (P) = PLAT,  
POB = POINT OF BEGINNING, CONC. = CONCRETE,  
POC = POINT OF COMMENCEMENT, POI = POINT ON LINE  
THIS SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE  
AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR  
INDIVIDUALS LISTED AND SHALL NOT BE REIED ON BY ANY  
OTHER ENTITY OR INDIVIDUAL WHOSE/EVER UNDERGOING  
FOUNDATIONS AND/OR IMPROVEMENTS WERE NOT LOCATED AS  
PART OF THIS SURVEY, AND SHOWN HEREIN WERE NOT  
ABSTRACTED FOR RIGHTS OF WAYS AND/OR EASEMENTS OF  
PLANNED RECORD.

BEARINGS ARE BASED ON WEST LINE OF THE  
NORTHWEST 1/4 OF SECTION 7-21-29  
AS BEING SOUTH, PER DESCRIPTION  
LEGAL DESCRIPTION FURNISHED BY  
CLIENT (UNLESS OTHERWISE NOTED)

SITE BENCHMARK  
4"x4" CONCRETE MONUMENT  
SEMINOLE COUNTY 479-59-01  
ELEVATION 122.69' NGVD 1929

TP

NOT PLATED



BOUNDARY AND TOPOGRAPHIC  
FOR  
HUNED BOTE





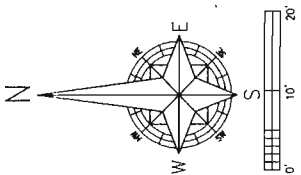
DATE	7/13/07	SCALE	1" = 10'	DESIGNED	JHR	CHECKED BY:	THS	CADD FILE TITLE	Handed Bates	CADD FILE	Handed-SPT	PROJECT NO.	00470
1/21/08					JHR				ADDRESS SEMINOLE CO. COMMENTS (1/17/08)				
10/2/07					JHR				ADDRESS SEMINOLE COUNT COMMENTS (8/22/07)				
REVISIONS													
					JHR								

AMERICAN CIVIL ENGINEERING CO.

207 N. MOSS ROAD, SUITE 212, WINTER SPRINGS, FLORIDA 32708  
PH (407) 327-7700, FAX (407) 327-0227 C.A. 8728

LINE DRIVE OFFICES  
PUD PRELIMINARY LANDSCAPE PLAN  
APOKA, FLORIDA  
LINE DRIVE

PROJECT NAME: Handed Bates
JOB # 00470
SHEET 4 OF 4

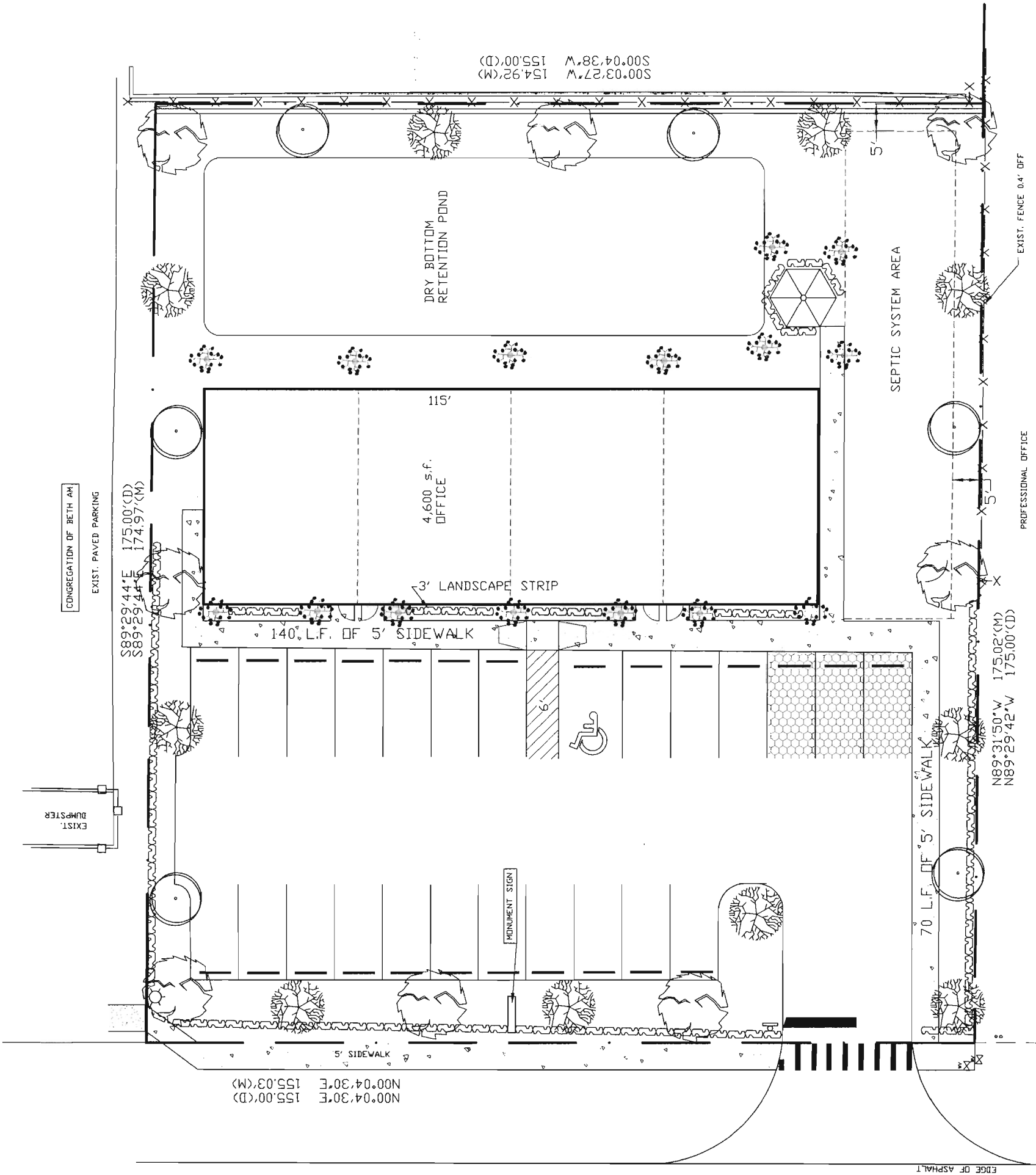


LANDSCAPING GENERAL NOTES:

- ALL LANDSCAPE AREAS TO BE COVERED W/ AN AUTOMATIC SPRINKLER SYSTEM.
- ALL LANDSCAPED AREAS TO BE SOODED (ST. AUGUSTINE) AND MULCHED (2" MIN).
- NO TREES EXIST ON SITE.
- ALL PROPOSED PLANTS WILL BE FLORIDA #1 GRADE OR BETTER ACCORDING TO THE SCLDC SEC. 30.1228 (a).
- ALL DISTURBED AREAS W/1 SEM. CC. R/W SHALL BE SOODED.
- IF THE EXISTING PLANT MATERIAL DOES NOT MEET MIN. CODE REQUIREMENT SUPPLEMENTING THE PLANT MATERIAL TO MEET CODE WILL BE DONE.
- IF THE EXISTING LANDSCAPING DOES NOT MEET CODE REQUIREMENT AT THE TIME OF THE FINAL INSPECTION, SUPPLEMENTING WILL BE REQUIRED PRIOR TO C. OF O.
- THE VISION LINE SHALL BE CLEAR OF ANY OBSTRUCTIONS.
- NO TREES SHALL BE PLANTED GREATER THAN 4" AT MATURITY OR SHRUBS HIGHER THAN 6" AT MATURITY.
- ANY TREES W/1 A DEFECTIVE TRUNK OR BRANCHES SHALL BE REMOVED. THE CLEAR SIGHT TRIANGLE MUST BE TRIMMED UP TO A HEIGHT OF 8' IAW FOOT REGULATIONS.
- GROUND COVER PLANTS, WHICH REACH A MAX HEIGHT OF 24", MAY BE USED IN LIEU OF GRASS PER SCLDC SEC. 30.1228 (e).
- ALL LANDSCAPING SHALL BE INSTALL IAW SCLDC SEC. 30.1228 (h).

LANDSCAPE LEGEND

- (145) VIBURNUM HEDGE (30" HGT. PLANTED AT 30" O/C.)  
LOW WATER USE
- (6) WINGED ELM. 2.5" CALIPER @ W/  
OVERALL AVERAGE OF 3" CALIPER  
MEASURED @ 1" ABOVE GROUND & 10' HIGH (LOW WATER USE)  
4 TREES PER 100 L.F. ALONG R/W & INTERIOR PROPERTY LINES
- (8) LIVE OAK 2.5" CALIPER @ W/  
OVERALL AVERAGE OF 3" CALIPER  
MEASURED @ 1" ABOVE GROUND AND 10' HIGH (LOW WATER USE)  
4 TREES PER 100 L.F. ALONG R/W & INTERIOR PROPERTY LINES
- (10) CHINESE ELM. 2.5" CALIPER @ W/  
OVERALL AVERAGE OF 3" CALIPER  
MEASURED @ 1" ABOVE GROUND & 10' HIGH (LOW WATER USE)  
4 TREES PER 100 L.F. ALONG R/W & INTERIOR PROPERTY LINES
- (15) GRAPE MYRTLE  
12" HIGH AT PLANTING, 6' SPREAD  
6" CLEAR, SINGLE TRUNK  
MEDIUM WATER USE



Seminole County  
Approved for Construction  
This approval is subject to specific conformance to the Seminole County Land Development Code and any special requirements of the Board of County Commissioners. It shall be the responsibility of the developer to correct any deficiencies noted by the Board of County Commissioners. Administrative acceptance of the developer's plans does not constitute a waiver of any code requirements nor does it relieve the developer of responsibility to meet those requirements. This specific approval is valid for a period of one year from the date below.

Approved:  
Seminole County Development Review Department  
Date

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On April 22, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

### FINDINGS OF FACT

**Property Owner:** Huned Botee  
P.O. Box 162905  
Altamonte Springs, FL 32716

**Project Name:** Line Drive Professional Office

**Requested Development Approval:**

Small Scale Future Land Use Amendment from Planned Development (PD) to Planned Development (PD) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development)

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by:  
Ian Sikonia, Senior Planner  
1101 East First Street  
Sanford, Florida 32771

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

- a. All development shall comply with the Preliminary Master Plan attached as Exhibit B.
- b. The allowable permitted uses for this site shall be in accordance with the OP zoning district. Prohibited uses shall include post offices, public parks, public and private parochial schools, playgrounds, fire stations, administrative public buildings, churches, and public schools (elementary, middle, high).
- c. Maximum allowable building height shall be 35 feet.
- d. Building setbacks shall be as follows;  
Front: 25'  
Side: 10'  
Rear: 10'
- e. Buffer yards shall be as follows;  
West: 10'  
North & South: 5'  
East: 10'
- f. There shall be a minimum of 25 parking spaces of which 3 must be turf block or an alternative material approved by the Planning Manager to comply with the Aquifer Recharge Overlay Standards.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Brenda Carey  
Chairman, Board of County Commissioners

**OWNER'S CONSENT AND COVENANT**

**COMES NOW**, the owner, Huned Botee, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Huned Botee

\_\_\_\_\_  
Witness

**STATE OF FLORIDA     )**

)

**COUNTY OF SEMINOLE )**

**I HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Huned Botee who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

**EXHIBIT A**

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA, SAID POINT BEING A 4 INCH SQUARE CONCRETE MONUMENT SITUATED NORTH 00 DEGREES 04'38" EAST, 20.38 FEET FROM A 6 INCH SQUARE CONCRETE MONUMENT LOCATED AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; FROM SAID POINT OF REFERENCE RUN SOUTH 00 DEGREES 04'30 WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 1350.14 FEET; THENCE RUN SOUTH 89 DEGREES 20'33" EAST 33.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAND LAKE ROAD AND THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE SOUTH 00 DEGREES 04'38" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, A DISTANCE OF 327.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 29'42" EAST A DISTANCE OF 175.00 FEET; THENCE SOUTH 00 DEGREES 04'38" WEST A DISTANCE OF 155.00 FEET; THENCE NORTH 89 DEGREES 29'42" WEST A DISTANCE OF 175.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE NORTH 00 DEGREES 04'38" EAST A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING.

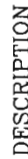
**EXHIBIT B**

(See Attached Pages)

PROPERTY I.D.# 07-21-29-300-019C-0000

SANITARY SEWER: SEPTIC SYSTEM  
WATER DISTRIBUTION: SEMINOLE COUNTY PUBLIC UTILITIES  
ELECTRICAL POWER: PROGRESS ENERGY  
TELEPHONE: EMBARO TELEPHONE CO.

CONTRACTOR SHALL PAY FOR AND OBTAIN A SEAWAHOE COUNTY SITE CONSTRUCTION PERMIT AND HOLD A PRE-CONSTRUCTION CONFERENCE BEFORE STARTING WORK. CONTACT ENGINEERING INSPECTIONS, 407-865-7409 FOR INFORMATION ON SETTING YOUR PRE-CONSTRUCTION MEETING, ISSUANCE OF COUNTY PERMITS AND OTHER REQUIREMENTS.



FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEAMCOLE COUNTY, FLORIDA, SAID POINT BEING A 4 INCH SQUARE CONCRETE MONUMENT SITUATED NORTH OF THE CORNERS OF SAID SECTION 7, A DISTANCE OF 20.38 FEET FROM A 9 INCH SQUARE CONCRETE MONUMENT BEING THE POINT OF BEGINNING, THENCE NORTH 88 DEGREES 29'42" WEST, A DISTANCE OF 135.00 FEET, THENCE SOUTH 89 DEGREES 04'38" WEST, A DISTANCE OF 155.00 FEET, THENCE NORTH 89 DEGREES 29'42" WEST, A DISTANCE OF 175.00 FEET, THENCE SOUTH 89 DEGREES 29'42" WEST, A DISTANCE OF 175.00 FEET, THENCE NORTH 00 DEGREES 04'38" EAST, A DISTANCE OF 155.00 FEET, TO THE POINT OF BEGINNING.

M.R. ELIAS, Ph.D., P.E.  
ELIAS ENGINEERING & TESTING, INC.  
2809 LAKEVIEW DR.  
FERN PARK, FLORIDA 32730  
TELEPHONE (407) 830-5004

PLANS ISSUED FOR:	DATE:
-------------------	-------

Approved \_\_\_\_\_  
Seaville County Development Review Department  
Date: \_\_\_\_\_



AMERICAN CIVIL  
ENGINEERING CO.  
207 N. WATTS ROAD, SUITE 211 WINTER SPRINGS, FLORIDA 32708  
TELEPHONE (407) 327-7700 FAX (407) 327-0027



ATLAMONTE SURVEYING AND PLATTING, INC.

MAILED SPECIAL DELIVERY AND THE ORIGINAL  
COPIES WITHOUT THE SIGNATURE AND THE ORIGINAL  
COPIES OF THE FOLLOWING DOCUMENTS TO THE  
APPROPRIATE AGENCIES AND TO THE STATE  
ARCHIVE. COPIES OF THE DOCUMENTS  
MAILED BY REGISTERED MAIL WITHOUT  
PROOF OF DELIVERY TO THE ADDRESSEE  
SHALL BE DEEMED TO HAVE BEEN  
MAILED BY REGISTERED MAIL WITHOUT  
PROOF OF DELIVERY TO THE ADDRESSEE.

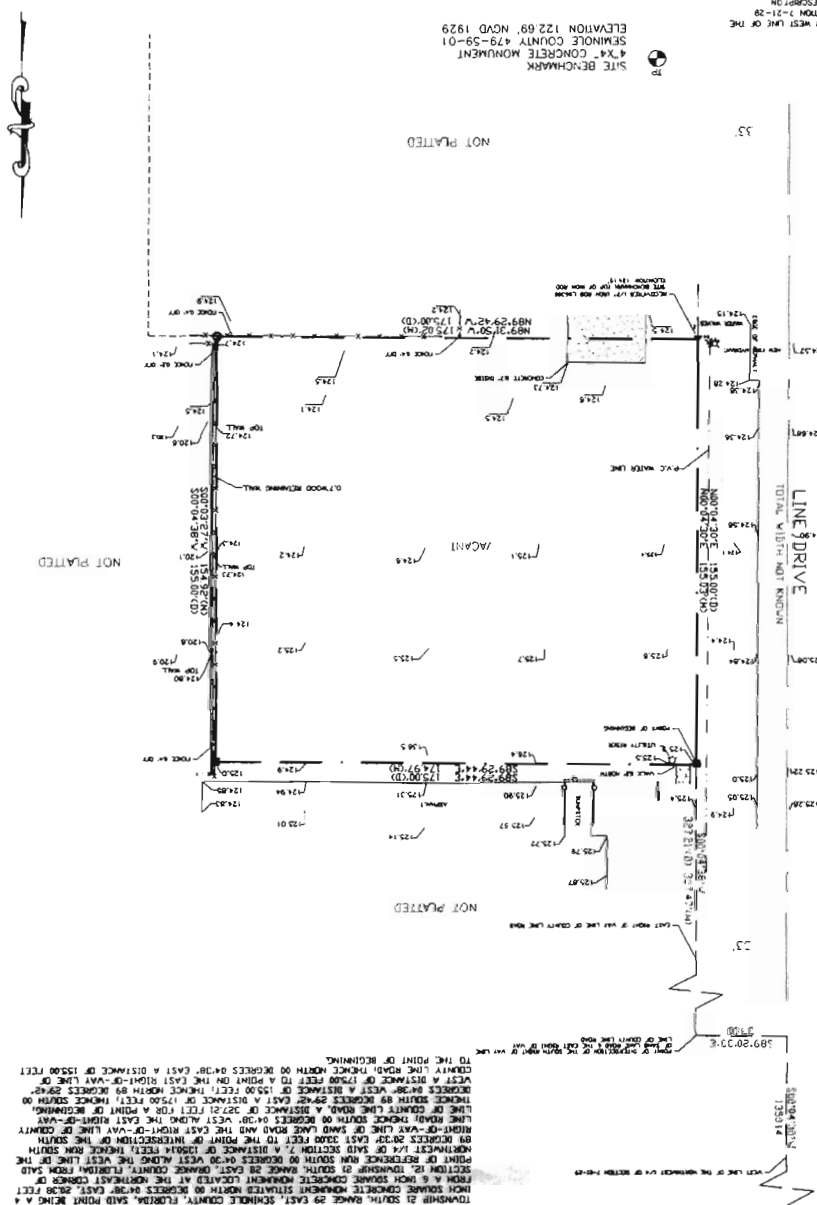
SCALE: 1"=50'  
REVIEWED BY: MMS  
DRAWN BY: LJO  
DATE: 5/11/00  
JOB NO.: 12273  
ENR/DO: ADD SPOT ELEVATIONS 10/26/05

- RECOVERED 4"x4" CONCRETE JOIST 10.1969
- RECOVERED WALL & DSK 10.1221
- RECOVERED 4"x4" CONCRETE JOIST 10.1221
- RECOVERED 1/2" IRON ROD #
- RECOVERED 5/8" IRON ROD #
- RECOVERED 1/2" IRON ROD #10.1221
- SET 1/2" IRON ROD #10.1221
- POWER POLE AS SHOWN
- 6" WOOD FENCE
- 6" CHAIN LINK FENCE
- CONCRETE SLAB AS SHOWN

THIS SURVEY IS CERTIFIED TO HAVE BEEN PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS LISTED AND SHALL NOT BE RELIED ON BY ANY OTHERS, ENTITY OR INDIVIDUAL, WHOSOEVER, UNDERSTANDING THAT ANY SUCH RELIANCE SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. THIS SURVEY IS CERTIFIED TO HAVE BEEN PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS LISTED AND SHALL NOT BE RELIED ON BY ANY OTHERS, ENTITY OR INDIVIDUAL, WHOSOEVER, UNDERSTANDING THAT ANY SUCH RELIANCE SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR.

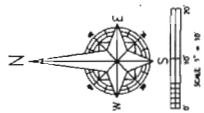
LEGAL DESCRIPTION FURNISHED BY  
CLIENT (UNLESS OTHERWISE NOTED)  
AS BEING SOUTH PER DESCRIPTION  
NORTHWEST 1/4 OF SECTION 2-21-28

4"x4" CONCRETE MONUMENT  
SEMINOLE COUNTY 479-59-01  
ELEVATION 122.69' NGVD 1929

[illegible]

BOUNDARY AND TOPOGRAPHIC SURVEY  
FOR  
HUNED BOTEE







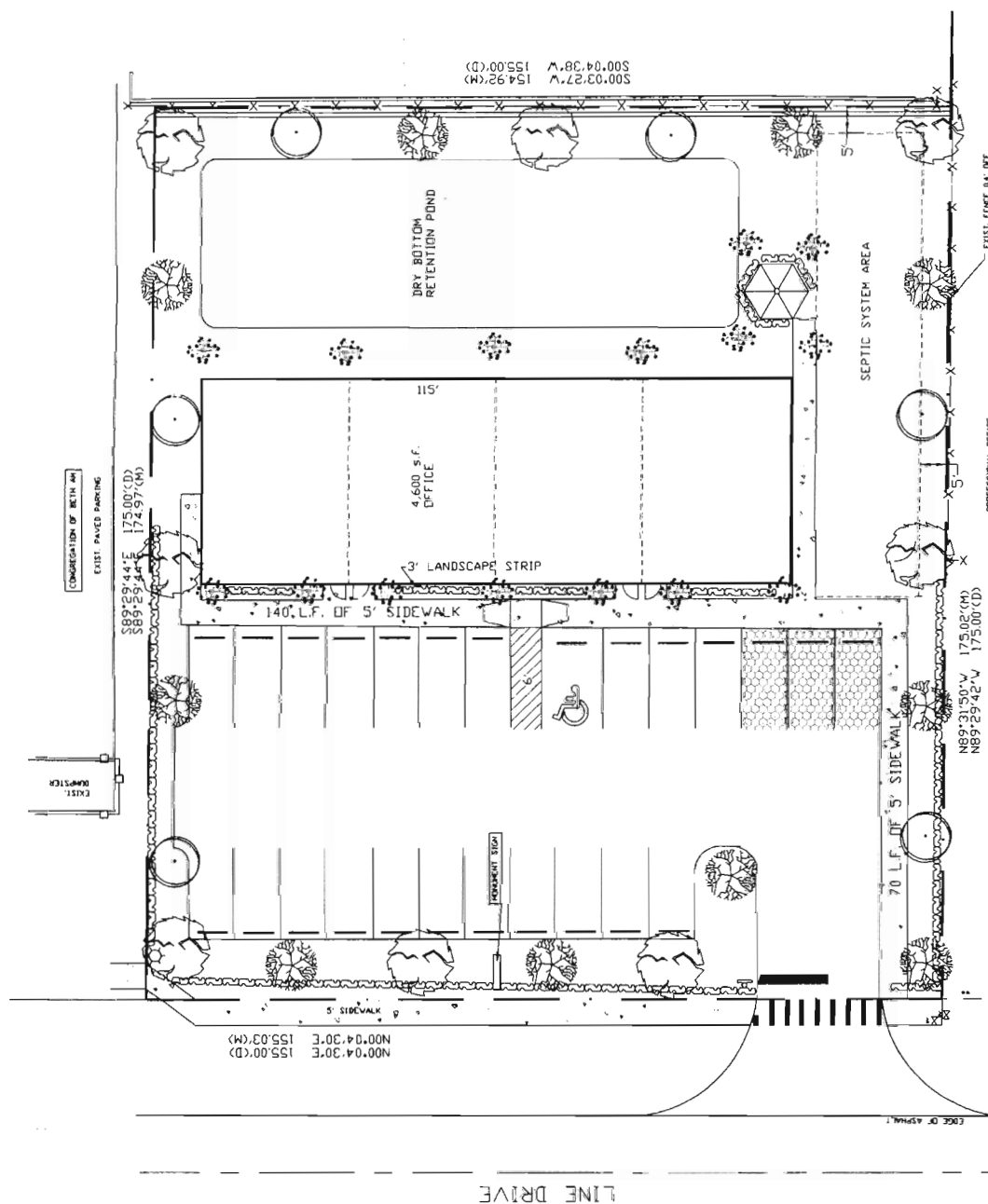


LANDSCAPING GENERAL NOTES:

- [illegible]

## LANDSCAPE LEGEND

- (14) 100' INTERIOR HEDGE (30" HGT. PLANTED AT 30' O/C)  
LOW WATER USE
- (9)  WHEATED LAM. 2.5' CAULPS. 4' W/  
WHEATED LAM. 2.5' CAULPS. 4' W/  
WHEATED LAM. 2.5' CAULPS. 4' W/  
4 TREES PER 100' L.F. ALONG E/W & INTERIOR PROPERTY LINES
- (8)  LOW CAM. 7.5' CAULPS. 4' W/  
WHEATED LAM. 2.5' CAULPS. 4' W/  
WHEATED LAM. 2.5' CAULPS. 4' W/  
4 TREES PER 100' L.F. ALONG E/W & INTERIOR PROPERTY LINES
- (10)  ORANGE CAM. 2.5' CAULPS. 4' W/  
WHEATED LAM. 2.5' CAULPS. 4' W/  
WHEATED LAM. 2.5' CAULPS. 4' W/  
4 TREES PER 100' L.F. ALONG E/W & INTERIOR PROPERTY LINES
- (15)  CRANE W/RE  
12" HGT. AT PLANTING, 6" SPREAD  
WHEATED LAM. 2.5' CAULPS. 4' W/  
WHEATED LAM. 2.5' CAULPS. 4' W/  
WHEATED LAM. 2.5' CAULPS. 4' W/  
4 TREES PER 100' L.F. ALONG E/W & INTERIOR PROPERTY LINES



This applicant is subject to the San Diego County Land Development Code and any specific requirements of the Board of County Commissioners. It shall be the responsibility of the applicant to obtain all necessary permits and approvals from the appropriate agencies. The applicant shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies. The applicant shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies.

Approved \_\_\_\_\_  
Lambton County Developmental Services Department

**AN ORDINANCE FURTHER AMENDING ORDINANCE NUMBER 91-13, AS PREVIOUSLY AMENDED, KNOWN AS THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN BY VIRTUE OF SMALL SCALE DEVELOPMENT AMENDMENT (LEGAL DESCRIPTION IS SET FORTH AS AN APPENDIX TO THIS ORDINANCE); CHANGING THE FUTURE LAND USE DESIGNATION ASSIGNED TO CERTAIN PROPERTY FROM PLANNED DEVELOPMENT TO PLANNED DEVELOPMENT; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM THE SEMINOLE COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Board of County Commissioners of Seminole County enacted Ordinance Number 91-13 which adopted the 1991 Seminole County Comprehensive Plan ("the Plan"), which Plan has been subsequently amended from time-to-time and in accordance with State law; and

WHEREAS, the Board of County commissioners has followed the procedures set forth in Sections 163.3184 and 163.3187, Florida Statutes, in order to further amend certain provisions of the Plan as set forth herein relating to a Small Scale Development Amendment; and

WHEREAS, the Board of County Commissioners has substantially complied with the procedures set forth in the Implementation Element of the Plan regarding public participation; and

WHEREAS, the Seminole County Local Planning Agency held a Public Hearing, with all required public notice, on March 5, 2008, for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners held a Public Hearing on April 22, 2008, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public, the Local Planning Agency, other public agencies, and other jurisdictions prior to final action on the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is internally consistent, is consistent and compliant with the provisions of State law including, but not limited to, Part II, Chapter 163, Florida Statutes, the State Comprehensive Plan, and the Comprehensive Regional Policy Plan of the East Central Florida Regional Planning Council.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. RECITALS/LEGISLATIVE FINDINGS:

- (a) The above recitals are true and correct and form and include legislative findings which are a material part of this Ordinance.
- (b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. AMENDMENT TO COUNTY COMPREHENSIVE PLAN FUTURE  
LAND USE DESIGNATION:

(a) The Future Land Use Element's Future Land Use Map as set forth in Ordinance Number 91-13, as previously amended, is hereby further amended by amending the future land use designation assigned to the following property and which is depicted on the Future Land Use Map and further described in the attached Appendix "A" to this Ordinance:

(b) The associated rezoning request was completed by means of Ordinance Number 08-\_\_\_\_\_.

(c) The development of the property is subject to the development intensities and standards permitted by the overlay Conservation land use designation, Code requirements and other requirements of law.

Section 3. SEVERABILITY:

If any provision of this Ordinance or the application to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are declared severable.

Section 4. EXCLUSION FROM COUNTY CODE/CODIFICATION:

(a) It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall not be codified into the Seminole County Code, but that the

Code Codifier shall have liberal authority to codify this Ordinance as a separate document or as part of the Land Development Code of Seminole County in accordance with prior directions given to said Code Codifier.

(b) The Code Codifier is hereby granted broad and liberal authority to codify and edit the provisions of the Seminole County Comprehensive Plan, as amended.

Section 5. EFFECTIVE DATE:

(a) A certified copy of this Ordinance shall be provided to the Florida Department of State and the Florida Department of Community Affairs by the Clerk of the Board of County Commissioners in accordance with Section 125.66 and 163.3187, Florida Statutes.

(b) This ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners; provided, however, that the effective date of the plan amendment set forth herein shall be thirty-one (31) days after the date of adoption by the Board of County Commissioners or, if challenged within thirty (30) days of adoption, when a final order is issued by the Florida Department of Community Affairs or the Administration Commission determining that the amendment is in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land use dependent on an amendment may be issued or commence before an amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, the affected amendment may nevertheless be made effective by

**ORDINANCE NO.**

**SEMINOLE COUNTY, FLORIDA**

Z2007-45

the Board of County Commissioners adopting a resolution affirming its effective status, a copy of which resolution shall be provided to the Florida Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100 by the Clerk of the Board of County Commissioners.

ENACTED this 22nd day of April, 2008.

BOARD OF COUNTY COMMISSIONERS  
OF SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Brenda Carey  
Chairman



## APPENDIX A

### Legal Description

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA, SAID POINT BEING A 4 INCH SQUARE CONCRETE MONUMENT SITUATED NORTH 00 DEGREES 04'38" EAST, 20.38 FEET FROM A 6 INCH SQUARE CONCRETE MONUMENT LOCATED AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; FROM SAID POINT OF REFERENCE RUN SOUTH 00 DEGREES 04'30 WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 1350.14 FEET; THENCE RUN SOUTH 89 DEGREES 20'33" EAST 33.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAND LAKE ROAD AND THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE SOUTH 00 DEGREES 04'38" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, A DISTANCE OF 327.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 29'42" EAST A DISTANCE OF 175.00 FEET; THENCE SOUTH 00 DEGREES 04'38" WEST A DISTANCE OF 155.00 FEET; THENCE NORTH 89 DEGREES 29'42" WEST A DISTANCE OF 175.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE NORTH 00 DEGREES 04'38" EAST A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE PUD (PLANNED UNIT DEVELOPMENT) THE PUD (PLANNED UNIT DEVELOPMENT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

**Section 1. LEGISLATIVE FINDINGS.**

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Line Drive Professional Office Future Land Use Amendment and Rezone."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

**Section 2. REZONINGS.** The zoning classification assigned to the following described property is changed from PUD (Planned Unit Development) to PUD (Planned Unit Development):

**SEE ATTACHED EXHIBIT A**

**Section 3. EXCLUSION FROM CODIFICATION.** It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

**Section 4. SEVERABILITY.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this

Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

**Section 5. EFFECTIVE DATE.** A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective upon filing a copy of this Ordinance with the Department and recording of Development Order 07-20500003.

ENACTED this 22nd day of April 2008.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Brenda Carey  
Chairman

**EXHIBIT A**  
**LEGAL DESCRIPTION**

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA, SAID POINT BEING A 4 INCH SQUARE CONCRETE MONUMENT SITUATED NORTH 00 DEGREES 04'38" EAST, 20.38 FEET FROM A 6 INCH SQUARE CONCRETE MONUMENT LOCATED AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; FROM SAID POINT OF REFERENCE RUN SOUTH 00 DEGREES 04'30 WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 1350.14 FEET; THENCE RUN SOUTH 89 DEGREES 20'33" EAST 33.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAND LAKE ROAD AND THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE SOUTH 00 DEGREES 04'38" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, A DISTANCE OF 327.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 29'42" EAST A DISTANCE OF 175.00 FEET; THENCE SOUTH 00 DEGREES 04'38" WEST A DISTANCE OF 155.00 FEET; THENCE NORTH 89 DEGREES 29'42" WEST A DISTANCE OF 175.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE NORTH 00 DEGREES 04'38" EAST A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING.

**SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER**

On April 22, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

**FINDINGS OF FACT**

**Property Owner:** Huned Botee  
PO BOX 162905  
Altamonte Springs, FL 32716

**Project Name:** Line Drive Professional Office

**Requested Development Approval:**

Small Scale Future Land Use Amendment from Planned Development (PD) to Planned Development (PD) and rezone from PUD (Planned Unit Development) PUD (Planned Unit Development)

The Board of County Commissioners has determined that the request for a Small Scale Future Land Use Amendment from Planned Development (PD) to Planned Development (PD) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) is not compatible with the surrounding area and could not be supported.

After fully considering staff analysis titled "Line Drive Professional Office Small Scale Future Land Use Amendment from Planned Development (PD) to Planned Development (PD); and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development)" and all evidence submitted at the public hearing on April 22, 2008, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested development approval should be denied.

**ORDER**

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:  
The aforementioned application for development approval is DENIED.  
Done and Ordered on the date first written above.

SEMINOLE COUNTY BOARD OF COUNTY  
COMMISSIONERS

By: \_\_\_\_\_  
Brenda Carey  
Chairman

**EXHIBIT A**

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA, SAID POINT BEING A 4 INCH SQUARE CONCRETE MONUMENT SITUATED NORTH 00 DEGREES 04'38" EAST, 20.38 FEET FROM A 6 INCH SQUARE CONCRETE MONUMENT LOCATED AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; FROM SAID POINT OF REFERENCE RUN SOUTH 00 DEGREES 04'30 WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 1350.14 FEET; THENCE RUN SOUTH 89 DEGREES 20'33" EAST 33.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAND LAKE ROAD AND THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE SOUTH 00 DEGREES 04'38" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, A DISTANCE OF 327.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 29'42" EAST A DISTANCE OF 175.00 FEET; THENCE SOUTH 00 DEGREES 04'38" WEST A DISTANCE OF 155.00 FEET; THENCE NORTH 89 DEGREES 29'42" WEST A DISTANCE OF 175.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE NORTH 00 DEGREES 04'38" EAST A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING.

**MINUTES FOR THE  
SEMINOLE COUNTY LAND PLANNING AGENCY/  
PLANNING AND ZONING COMMISSION**

***WEDNESDAY, MARCH 5, 2008***

**Members present:** Matthew Brown, Ben Tucker, Melanie Chase, Dudley Bates, Walt Eismann, Kim Day and Rob Wolf.

**Also present:** Alison Stettner, Planning Manager; Ian Sikonia, Senior Planner; Austin Watkins, Senior Planner; Larry Poliner, Development Review Manager; Kathy Furey – Tran, Assistant County Attorney; and Connie DeVasto, Office Supervisor

**Line Drive Professional Office; Jack Reynolds/ American Civil Engineering, applicant;** 0.62± acres; Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and Rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development); located 300 feet south of the intersection of Sand Lake Road and Line Drive. (Z2007-45)

Commissioner Van Der Weide - District 3  
Ian Sikonia, Senior Planner

Ian Sikonia stated that staff recommends approval of this request.

Jack Reynolds was present on behalf of the owner. He gave a brief history of this property and the problems the owner has had in the past.

Mr. Reynolds advised that he agrees with conditions listed in the Development Order and the staff report.

No one spoke in favor of this request.

Dan Williams, President of Congregation Beth Am, stated that they have a problem with the septic draining into their pond. Mr. Williams also stated that they can only access their property via Line Drive.

Larry Poliner stated that he has reviewed this project and the septic will not leach into the pond. However, Development Review has not looked at the access issue.

Commissioner Tucker asked Mr. Poliner if he knows if this area is the old Hopkins Egg Plant?

Mr. Poliner stated that he did not know.

Commissioner Tucker asked if sharing the driveway/roadway was an option.

Mr. Poliner stated that Development Review has not looked into this option either.

General discussion was had regarding this property and the uses for this property.

Commissioner Tucker asked about commercial development going south down Line Drive.

Mr. Poliner stated that this would be cost prohibitive.

General discussion was had regarding potential growth in this area.

Commissioner Tucker asked if this was part of the Wekiva Basin.

Alison Stettner indicated that it was part of the Wekiva Basin.

Commissioner Wolf asked for clarification regarding the previous issues with this property.

Commissioner Brown stated that it was basically cost prohibitive for them to move on with the original project.

Commissioner Brown then asked if Line Drive was in Seminole County or Orange County.

Austin Watkins advised that it was half and half.

**Commissioner Eismann made the motion to approve.  
Commissioner Day seconded the motion.**

Commissioner Eismann stated that he did not want the property owner to be "handcuffed" regarding how he can build on his property.

**The motion passed 7-0.**